

payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

#### LIMITATION ON PAYMENTS

Section 612(b) of Pub. L. 101-189 provided that: "The total amount of payments made during fiscal year 1990 under section 308a(a) of title 37, United States Code, by the Secretary of the Army may not exceed \$66,400,000."

#### PAY CONTINUATION

Enactment of this section not to reduce pay to which any member of uniformed services was entitled on June 30, 1971, see section 210 of Pub. L. 92-129, set out as a note under section 203 of this title.

### § 308b. Special pay: reenlistment bonus for members of the Selected Reserve

(a) **AUTHORITY AND ELIGIBILITY REQUIREMENTS.**—An enlisted member of a reserve component who—

- (1) has completed less than 14 years of total military service; and
- (2) reenlists or voluntarily extends his enlistment for a period of three years or for a period of six years in a designated military skill, or in a designated unit, as determined by the Secretary concerned, in the Selected Reserve of the Ready Reserve of an armed force;

may be paid a bonus as provided in subsection (b).

(b) **BONUS AMOUNTS; PAYMENT.**—(1) The amount of a bonus under this section may not exceed—

- (A) \$5,000, in the case of a member who reenlists or extends an enlistment for a period of six years;
- (B) \$2,500, in the case of a member who, having never received a bonus under this section, reenlists or extends an enlistment for a period of three years; and
- (C) \$2,000, in the case of a member who, having received a bonus under this section for a previous three-year reenlistment or extension of an enlistment, reenlists or extends the enlistment for an additional period of three years.

(2) Any bonus payable under this section shall be disbursed in one initial payment of an amount not to exceed one-half of the total amount of the bonus and subsequent periodic partial payments of the balance of the bonus. The Secretary concerned shall prescribe the amount of each partial payment and the schedule for making the partial payments.

(c) **CONDITION ON ELIGIBILITY; LIMITATION ON NUMBER OF BONUSES.**—(1) To be eligible for a second bonus under this section in the amount specified in subsection (b)(1)(C), a member must—

- (A) enter into the subsequent reenlistment or extension of an enlistment for a period of three years not later than the date on which the enlistment or extension for which the first bonus was paid would expire; and
- (B) still satisfy the designated skill or unit requirements required under subsection (a)(2).

(2) A member may not be paid more than one six-year bonus or two three-year bonuses under this section.

(d) **REPAYMENT OF BONUS.**—A member who receives a bonus under this section and who fails, during the period for which the bonus was paid, to serve satisfactorily in the element of the Selected Reserve of the Ready Reserve with respect to which the bonus was paid shall refund to the United States an amount that bears the same ratio to the amount of the bonus paid to the member as the period that the member failed to serve satisfactorily bears to the total period for which the bonus was paid.

(e) **REGULATIONS.**—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when it is not operating as a service in the Navy.

(f) **TERMINATION OF AUTHORITY.**—No bonus may be paid under this section to any enlisted member who, after September 30, 1999, reenlists or voluntarily extends his enlistment in a reserve component.

(Added Pub. L. 95-79, title IV, § 403(a)(1), July 30, 1977, 91 Stat. 330; amended Pub. L. 95-485, title IV, § 403, Oct. 20, 1978, 92 Stat. 1614; Pub. L. 96-342, title VIII, § 805(b), Sept. 8, 1980, 94 Stat. 1095; Pub. L. 97-295, § 3(2), Oct. 12, 1982, 96 Stat. 1303; Pub. L. 99-145, title VI, § 643(a), Nov. 8, 1985, 99 Stat. 652; Pub. L. 100-180, div. A, title VI, § 626(b), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, §§ 613, 652(b)(1), Nov. 29, 1989, 103 Stat. 1446, 1461; Pub. L. 101-510, div. A, title XIII, § 1322(c)(4), Nov. 5, 1990, 104 Stat. 1672; Pub. L. 102-484, div. A, title VI, § 612(d), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, § 612(a), Nov. 30, 1993, 107 Stat. 1680; Pub. L. 103-337, div. A, title VI, § 611(a), Oct. 5, 1994, 108 Stat. 2782; Pub. L. 104-106, div. A, title VI, § 611(a), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, § 611(b), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, §§ 611(b), 621, Nov. 18, 1997, 111 Stat. 1785, 1790.)

#### AMENDMENTS

1997—Subsec. (a). Pub. L. 105-85, § 621(e)(1), inserted heading.

Subsec. (a)(1). Pub. L. 105-85, § 621(a), substituted "14 years" for "ten years".

Subsec. (b). Pub. L. 105-85, § 621(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "The bonus to be paid under subsection (a) shall be—

"(1) an initial payment of—

"(A) an amount not to exceed \$1,250, in the case of a member who reenlists or voluntarily extends his enlistment for a period of three years; or

"(B) an amount not to exceed \$2,500, in the case of a member who reenlists or voluntarily extends his enlistment for a period of six years; and

"(2) a subsequent payment of not to exceed \$416.66 upon the completion of each year of the period of such reenlistment or extension of enlistment during which such member has satisfactorily participated in training with his unit."

Subsec. (c). Pub. L. 105-85, § 621(c), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "No member shall be paid more than one bonus under this section."

Subsec. (d). Pub. L. 105-85, § 621(d), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: "A member who fails to participate satisfactorily in training with his unit during a term of enlistment for which a bonus is being paid to him under this

section shall refund an amount equal to the amount by which the amount of such bonus exceeds the product of—

- “(1) the number of months during that term of enlistment during which such member participated satisfactorily in training with his unit; and
- “(2) \$69.44.”

Subsec. (e). Pub. L. 105-85, §621(e)(2), inserted heading.

Subsec. (f). Pub. L. 105-85, §621(e)(3), inserted heading. Pub. L. 105-85, §611(b), substituted “September 30, 1999” for “September 30, 1998”.

1996—Subsec. (f). Pub. L. 104-201 substituted “September 30, 1998” for “September 30, 1997”.

Pub. L. 104-106 substituted “September 30, 1997” for “September 30, 1996”.

1994—Subsec. (f). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (f). Pub. L. 103-160 substituted “September 30, 1995” for “September 30, 1993”.

1992—Subsec. (f). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1990—Subsecs. (e) to (g). Pub. L. 101-510 redesignated subsecs. (f) and (g) as (e) and (f), respectively, and struck out former subsec. (e) which read as follows: “The Secretary of defense shall submit a report to the Congress every three months listing the units of the Selected Reserve of the Ready Reserve which have been designated by him for purposes of subsection (a)(3) and stating the number of members of the Selected Reserve of the Ready Reserve who at the time of such report are serving a term of enlistment for which a bonus is being paid under this section.”

1989—Subsec. (e). Pub. L. 101-189, §652(b)(1), struck out at end “The first such report shall be submitted not later than December 31, 1977.”

Subsec. (g). Pub. L. 101-189, §613, substituted “September 30, 1992” for “September 30, 1990”.

1987—Subsec. (g). Pub. L. 100-180 substituted “September 30, 1990” for “September 30, 1987”.

1985—Subsec. (b)(1). Pub. L. 99-145, §643(a)(1)(A), substituted “\$1,250” for “\$450” in subpar. (A) and “\$2,500” for “\$900” in subpar. (B).

Subsec. (b)(2). Pub. L. 99-145, §643(a)(1)(B), substituted “\$416.66” for “\$150”.

Subsec. (d)(2). Pub. L. 99-145, §643(a)(2), substituted “\$69.44” for “\$25”.

Subsec. (g). Pub. L. 99-145, §643(a)(3), substituted “September 30, 1987” for “September 30, 1985”.

1982—Subsec. (a)(1). Pub. L. 97-295 substituted “service” for “services”.

1980—Subsec. (g). Pub. L. 96-342 substituted “September 30, 1985” for “September 30, 1980”.

1978—Subsec. (a). Pub. L. 95-485, §403(a), substituted provision requiring that for an enlisted member of a reserve component to be eligible for the bonus provided in subsec. (b) he has completed less than 10 years of total military services for provision requiring that the enlisted member had initially enlisted in a reserve component, other than a reserve component under the delayed enlistment program for the active forces, and that he had completed less than 10 years of service as a member of a reserve component.

Subsec. (b). Pub. L. 95-485, §403(b), inserted “an amount not to exceed” before “\$450”, “\$900”, and “\$150”, respectively.

Subsec. (g). Pub. L. 95-485, §403(c), substituted “September 30, 1980” for “September 30, 1978”.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Section 612(f) of Pub. L. 103-160 provided that: “The amendments made by subsections (a), (b), (d), and (e) [amending this section and sections 308c, 308h, and 308i of this title] shall take effect as of September 30, 1993, and shall apply with respect to an enlistment, reenlistment, or extension of an enlistment described in section 308b, 308c, 308h, or 308i of title 37, United States Code, occurring on or after that date.”

#### EFFECTIVE DATE OF 1985 AMENDMENT

Section 643(b) of Pub. L. 99-145 provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 1985.”

#### EFFECTIVE DATE

Section 403(b) of Pub. L. 95-79 provided that: “The amendments made by subsection (a) [enacting this section] shall apply with respect to any reenlistment, or voluntary extension of an enlistment, in the Selected Reserve of any reserve component of the Armed Forces after September 30, 1977.”

#### COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

### § 308c. Special pay: bonus for enlistment in the Selected Reserve

(a) Any person who enlists in the Selected Reserve of the Ready Reserve of an armed force for a term of enlistment of not less than six years, is a graduate of a secondary school, and has never previously served in an armed force may be paid a bonus as provided in subsection (b).

(b) The amount and method of payment of a bonus to be paid under subsection (a) shall be determined in accordance with regulations prescribed under subsection (c), except that the amount of such bonus may not exceed \$5,000 and—

(1) an amount not to exceed one-half of the bonus may be paid upon completion of the initial active duty for training of such person; and

(2) the remainder of the bonus may be paid in periodic installments or in a lump sum, as determined by the Secretary concerned.

(c) This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Transportation for the Coast Guard when it is not operating as a service in the Navy.

(d) A member who fails to participate satisfactorily in training with his unit during a term of enlistment for which a bonus has been paid to him under this section shall refund an amount which bears the same ratio to the amount of the bonus which has been paid to him as the unexpired part of such term of enlistment bears to the total length of such term of enlistment.

(e) No bonus may be paid under this section to any enlisted member who, after September 30, 1999, enlists in the Selected Reserve of the Ready Reserve of an armed force.

(f) The total amount of expenditures under this section may not exceed \$37,024,000 during fiscal year 1994.

(Added Pub. L. 95-485, title IV, §404(a), Oct. 20, 1978, 92 Stat. 1614; amended Pub. L. 96-342, title VIII, §805(b), Sept. 8, 1980, 94 Stat. 1095; Pub. L. 97-22, §11(b)(1), July 10, 1981, 95 Stat. 138; Pub. L. 99-145, title VI, §642, Nov. 8, 1985, 99 Stat. 652; Pub. L. 100-180, div. A, title VI, §626(b), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, §§613, 652(b), Nov. 29, 1989, 103 Stat. 1446, 1461;